

**TOWN OF SILVERTON**  
**APPLICATION FOR USE SUBJECT FOR REVIEW**  
**Vacation Rental**

\_\_\_\_\_  
Name of Property Owner

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Owner's Mailing Address

\_\_\_\_\_  
Owner's Email

\_\_\_\_\_  
Name of Applicant (if different from owner)

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Applicant's Mailing Address (if different from owner)

\_\_\_\_\_  
Applicant's Email

\_\_\_\_\_  
Subject Property Address

\_\_\_\_\_  
Lot #

\_\_\_\_\_  
Block #

\_\_\_\_\_  
Addition

\_\_\_\_\_  
Zone District

Will this vacation rental be year round?

Yes

No

\_\_\_\_\_  
Property Manager Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Proposed Date to Begin Operation

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
OFFICIAL USE ONLY

\_\_\_\_\_  
APPLICATION FEE \$500.00

\_\_\_\_\_  
Application Received By

\_\_\_\_\_  
Fee Paid

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Hearing Date

\_\_\_\_\_  
Action Taken By Board of Trustees



**CALL SNOW ROUTE (970) 387-5522 EXT. 11 AFTER 5:00 PM FOR INFO.**

**SNOW PLOWING ROUTES FOR ALL STREETS & ALLEYS**

**THE FOLLOWING PARKING RESTRICTIONS APPLY**

**GREEN ADVISORY:**

No parking restrictions apply.

**RED ADVISORY:**

**GREENE STREET:** No parking on Greene Street from 12:00 am midnight to 7:00 am.

**ALL OTHER STREETS IN SILVERTON:**

**ON ODD DAYS OF THE MONTH:** Vehicles must be parked on the *ODD* addressed side of the street by 12:00 am midnight.\*

**ON EVEN DAYS OF THE MONTH:** Vehicles must be parked on the *EVEN* addressed side of the street by 12:00 am midnight.\*

***\*ALL VEHICLES MUST THEN BE MOVED TO THE OPPOSITE SIDE OF THE STREET AS SOON AS POSSIBLE AFTER THE SNOW HAS BEEN CLEARED.***

**ALLEYS:** Vehicles parked within the alleys must be clearly parked outside of the 14 foot alley right of way. No unattended vehicle may ever be parked in an alleyway that would impede traffic or snow removal operations.

**IF YOUR VEHICLE HAS BEEN TOWED  
PLEASE CALL (970) 946-4303**

**FOR ALL OTHER QUESTIONS CALL (970) 387-5522 DURING REGULAR WEEKDAY  
BUSINESS HOURS**



# Town of Silverton

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\_\_\_\_\_  
Address of Rental

\_\_\_\_\_  
Phone # of Rental

\_\_\_\_\_  
Manager

\_\_\_\_\_  
Manager's Phone #

\_\_\_\_\_  
Max. Occupancy

\_\_\_\_\_  
Fire Extinguisher Location(s)

\_\_\_\_\_  
Code Enforcement Officer

\_\_\_\_\_  
Code Enforcement Phone #

San Juan County Sheriff's Office (local police) (970) 387-5531 non-emergency

***Call 911 for all emergencies***

Please park in the following areas: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please store trash and garbage only in the following areas : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NOISE :** ALL LOUD NOISES AND PARTIES ARE EXPRESSLY PROHIBITED AFTER 10:00 PM.

**PARKING :** ALL PARKING SHOULD BE ADJACENT TO THE VACATION RENTAL. PARKING SHALL NOT BLOCK ANY FIRE HYDRANT (WITHIN 15 FT.), ALLEY OR TRAFFIC PORTION OF THE STREET. PLEASE SEE THE SNOW ROUTE ADVISORY FOR ADDITIONAL PARKING REGULATIONS WHEN PLOWING OCCURS. ALL VIOLATIONS MAY BE ENFORCED BY PENALTY ASSESSMENT OR VEHICLE REMOVAL AT OWNERS EXPENSE.

**TRASH :** THERE IS NO CURB SIDE TRASH PICK-UP. PLEASE STORE YOUR TRASH IN THE ABOVE MENTIONED AREA.

## LODGIING FEES

### SILVERTON LODGING FEE REMITTANCE FORM

BUSINESS NAME: \_\_\_\_\_

REPORTING MONTH/YEAR: \_\_\_\_\_

*DUE 15 DAYS AFTER THE END OF THE MONTH*

NUMBER OF OCCUPIED ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

NUMBER OF EXEMPT ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

NET OCCUPIED ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

**FEE RATE**

**\$2 PER**

**\$1 PER**

AMOUNT OF FEE

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

TOTAL FEES DUE

PAYABLE TO "TOWN OF SILVERTON"

\_\_\_\_\_  
ROOMS PLUS CAMPSITES

### SILVERTON LODGING FEE REMITTANCE FORM

BUSINESS NAME: \_\_\_\_\_

REPORTING MONTH/YEAR: \_\_\_\_\_

*DUE 15 DAYS AFTER THE END OF THE MONTH*

NUMBER OF OCCUPIED ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

NUMBER OF EXEMPT ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

NET OCCUPIED ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

**FEE RATE**

**\$2 PER**

**\$1 PER**

AMOUNT OF FEE

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

TOTAL FEES DUE

PAYABLE TO "TOWN OF SILVERTON"

\_\_\_\_\_  
ROOMS PLUS CAMPSITES

### SILVERTON LODGING FEE REMITTANCE FORM

BUSINESS NAME: \_\_\_\_\_

REPORTING MONTH/YEAR: \_\_\_\_\_

*DUE 15 DAYS AFTER THE END OF THE MONTH*

NUMBER OF OCCUPIED ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

NUMBER OF EXEMPT ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

NET OCCUPIED ROOMS/CAMPSITES

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

**FEE RATE**

**\$2 PER**

**\$1 PER**

AMOUNT OF FEE

\_\_\_\_\_  
ROOMS

\_\_\_\_\_  
CAMPSITES

TOTAL FEES DUE

PAYABLE TO "TOWN OF SILVERTON"

\_\_\_\_\_  
ROOMS PLUS CAMPSITES

## RESOLUTION NO. 2012-18

### A RESOLUTION ESTABLISHING THE APPLICATION AND REVIEW FEE FOR VACATION HOME RENTAL

WHEREAS, the Silverton Town Board of Trustees approved the permitting of Vacation Home Rentals as a Use Subject to Review; and

WHEREAS, the Town Board of Trustees require that Vacation Home Rentals renew their use permits on an annual basis; and

WHEREAS, the Town Board of Trustees is responsible for setting the fees for processing the application and for the permit renewal for Vacation Home Rentals; and

WHEREAS, the Town Board of Trustees has determined that the administrative review process for a Use Subject to Review application and the permit renewal for Vacation Home Rentals necessitates substantial staff time to adequately process; and

WHEREAS, the Town Board of Trustees has determined that the application and renewal fees should cover the cost of processing these applications and renewals; and

WHEREAS, the Town Board of Trustees have reviewed these fees and have determined that these fees are fair and equitable;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Silverton, Colorado that the following fees for processing certain applications shall be adopted:

Vacation Rental Home - Use Subject to Review Application	\$500.00
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Vacation Rental Home – Annual Renewal Permit	\$ 50.00
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ADOPTED AND APPROVED this 10<sup>th</sup> day of December 2012.

ATTEST:

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Brian Carlson/Clerk-Treasurer

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Christine M. Tookey, Mayor

## ORDINANCE 2012-02

### CLARIFYING AND ESTABLISHING MUNICIPAL REGULATIONS CONCERNING THE USE OF RESIDENTIAL PROPERTY FOR COMMERCIAL PURPOSES ON A SHORT-TERM RENTAL BASIS

**WHEREAS**, pursuant to the authority conferred upon it via C.R.S. §31-23-301, the Town of Silverton, through its Board of Trustees (“Town”), is empowered to regulate and restrict the use of buildings, structures, and land for use as residence or other purposes within its statutory jurisdiction, so long as such restraints are determined necessary to promote the general welfare of the community; and

**WHEREAS**, through such authority, the Town has held that the use of residential property within its various residential zone districts for any such purposes other than for long-term residential use of one month or more shall be permitted only after prior approval has been acquired through an established “Use Subject to Review” process before the Town Board, which process shall include an open and properly noticed public hearing component; and

**WHEREAS**, the Town, in recognition of a growing public sentiment in favor of examining the impact of growing short-term rental approvals upon the community, and also the need to better define, establish and convey to the public the means through which such approvals are sought, considered, granted and maintained, imposed a six-month moratorium on the issuance of such approvals at its regular meeting held July 23<sup>rd</sup>, 2012; and

**WHEREAS**, pursuant to C.R.S. § 31-23-211, the San Juan Regional Planning Commission (“Commission”) is vested with authority to exercise certain powers and rights relating to the establishment and amendment of municipal zone districts within the Town boundaries; and

**WHEREAS**, upon two consecutive regular meetings – September 25th and October 23rd, 2012 – the Commission considered the potential impact of short-term rentals upon the community and means through which the language in the Silverton Municipal Code might be improved so that the Town might better govern its short-term rental market; and

**WHEREAS**, upon such consideration and having held a public hearing to receive community input on how to improve the same, the Commission has recommended to the Board that it adopt the following language;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO THAT:**

Chapter 7, Article 2, Section 4 is hereby repealed in its entirety and the Town adopts the following language in its place:

#### **7-2-4                    Uses Subject to Review**

- A. Applications for uses subject to review or uses in the Business Auto (BA) District shall be filed, in writing, with the Town Clerk, along with the required fee as established by resolution of the Town Board of Trustees. Such applications shall contain the following information, as applicable:
  - 1. Location and identification of all existing and proposed public and private easements.
  - 2. Boundaries of sites to be reserved or dedicated for trails, parks, playgrounds, schools, or other public uses and the location of any common area not reserved or dedicated to public use.

3. The areas, in square feet, and percentage of the total area of the proposed development devoted to each type of use.
  4. The existing buildings, telephone and power lines, and sewer, water, gas and drainage pipes located on the proposed development and adjacent to its boundaries.
  5. A description of the land area of the request, including lot and block number, along with a drawing to scale showing boundaries, and an indication of existing zoning for all areas on the drawn
  6. Time schedule for any contemplated new construction or uses.
- B. All applications shall be referred by the Town Clerk to the Town Board. A public hearing shall be held, with at least ten (10) days advanced notice of the date, time and place of such hearing to be published in a newspaper of general circulation in the town.
- C. The Board shall render its decision within sixty (60) days of the date of submission of the application, unless an extension of said time is agreed upon, in writing, by the applicant and the Board.
- D. Use Subject to Review - Vacation Home Rental Permits (formerly known as weekly rentals)

1. Purpose:

The purpose of this section is to preserve the residential character of Silverton's neighborhoods and to prevent the negative impacts of increased intensity of use attributable to vacation home rentals. The provisions of this section are necessary to prevent the potential burdens and impacts on residential neighborhoods posed by vacation rental homes including excessive noise, overcrowding and illegal vehicle parking. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding residential uses and will not act to harm and alter the neighborhoods in which they are located.

Maintenance of Silverton's existing residential neighborhoods is essential to its continued economic strength. It is the intent of this section to minimize the impact of vacation rentals on adjacent residences and neighborhoods, and to minimize the impact of the commercial character of a vacation rental.

2. Vacation home rental is defined as a dwelling unit, including either a single-family or multiple-family unit, rented for the purpose of overnight lodging for a period of not more than thirty-one (31) days, other than an on-going month-to-month tenancy granted to the same renter for the same unit.

3. Vacation home rentals shall demonstrate compliance with the following:

- a. Vacation rental tenancy: Rental of a residence shall not exceed one (1) individual tenancy within seven (7) consecutive calendar days. No additional occupancy (with the exception of the property owner) shall occur within that seven-day period. A vacation rental shall only be used for the purposes of occupancy as a vacation rental or as a full time occupied unit. No other use shall be allowed on the site.
- b. Number of occupants allowed: The maximum number of occupants allowed in an individual residential vacation rental shall not exceed the number of occupants that can be accommodated consistent with the parking requirement, and shall not exceed two (2) persons per bedroom plus two (2) additional renters overall. The code enforcement officer shall specify the maximum number of occupants allowed in each individual vacation rental.

c. Guest Registration required: A guest registration is required for all residential vacation rentals. The registration shall include name and address of the person that has contracted for the vacation rental. The number of occupants and the dates that they will occupy the vacation rental. The guest registration shall be kept in the possession of the property manager or the property owner and will be made available for inspection by the Town of Silverton when requested.

d. Appearance and visibility: The residential vacation rental is not to change the residential character of the outside appearance of the building, either by the use of colors, materials, lighting; or by the construction of accessory structures or garages visible off-site and not of the same architectural character as the residence; or by the emission of noise, glare, flashing lights, vibrations or odors not commonly experienced in residential areas. All loud noises and parties are expressly prohibited after 10:00 p.m. Any additional exterior lighting will be approved by the Town prior to installation to insure that it does not create undue illumination of residential properties nor create any traffic hazard.

e. Guest parking: On street parking by the guests of the vacation rental should be located adjacent to the rental property. Parking shall not block any fire hydrant, alley or traffic portion of the street. Guests must be informed of the Snow Route regulations. Snow Route regulations shall be clearly posted within the vacation rental. Guests will be subject to the snow route parking regulations.

f. Local contact person: All residential vacation home rentals shall designate a local property manager. The local property manager shall be available twenty-four (24) hours a day, and must reside within a 15 minute drive of the rental property, to respond to tenant and neighborhood questions or concerns. Where a property owner lives within the same community as the residential vacation rental, the property owner may designate themselves as the local contact person. All the requirements enumerated in this section shall continue to apply.

(1) The name, address and telephone number(s) of the local contact person shall be submitted to the code enforcement officer, the San Juan County Sheriff's Department, and the Silverton/San Juan County Fire Authority. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s).

(2) Any change in the local contact person or the local contact person's address or telephone number shall be promptly furnished to the agencies as specified in this subsection. Additionally, the local contact person or owner shall be responsible for providing those changes to all property owners located within 150 feet of the property boundaries of the weekly rental.

g. Tax and licenses required for vacation home rentals: Each individual vacation rental shall be subject to a lodger's tax license, a sales tax license, current business license and lodging fee. All required licenses and permits shall be obtained prior to beginning operation of the vacation home rental. All permits and licenses for the vacation rental and the use of the home as a vacation home rental must be commenced within one calendar year of Town Board approval.

h. Health- and safety-code inspections: Vacation home rentals shall be subject to the same safety and health inspections to which other licensed places of accommodation are subject. Vacation home rentals will be in compliance with all applicable building and zoning codes.

i. Fire extinguishers: All vacation rental homes shall be required to keep a fire extinguisher in good working order on the premises. The location of the fire extinguisher shall be shown or described in the posted



site plan.

j. Liability insurance: The owner of the vacation home rental will be required to obtain and maintain adequate liability insurance for the operation of a vacation home rental.

k. Signage: Vacation home rental signage is limited to one (1) identification sign affixed to the vacation rental and no larger than two (2) square feet.

l. Separate Vacation Home Rental Permit: A separate vacation home rental permit is required for each vacation home rental. The permit shall be issued only to the owner of the vacation rental home. **No home owner shall be permitted for more than one vacation home rental.** The owner of the vacation rental home is responsible for compliance with the provisions of this section.

m. Acknowledgments and other information: The owner and local contact person will sign an acknowledgement that they have read all regulations pertaining to the operation of a vacation home rental.

(1) The owner or local contact person will sign an acknowledgement the required notices will be posted in the vacation rental home.

(2) The owner of the vacation home rental must post a copy of the permit and site plan, including the maximum occupancy, required locations for parking, information related to the storage of trash and refuse, contact information for the local contact person, code enforcement officer, sheriff's department and fire authority.

n. Violation—vacation home rental: It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. Failure to be in complete compliance with this section shall be grounds for revocation of the business license.

o. Application and renewal fees: Fees for Use Subject To Review Vacation Home Rental Permit Application and the required annual renewal permit will be established by resolution by the Board of Trustees.

p. Permits not transferable: All vacation home rental permits shall be granted solely to the applicant and shall not be transferable to any other person or legal entity. The approved permit is valid only for the applicant at the address for which application is made, as shown on the application form at the time of application for the weekly home rental permit. The vacation home rental permit shall include a nontransferability clause and the use shall be terminated automatically upon the sale or change of ownership of the property for which a permit has been previously issued.

q. Termination of Vacation Home Rental: Failure to commence the operation of a vacation home rental within 1 year of the Board of Trustees approval will result in termination of the vacation rental permit. Failure to obtain all necessary licenses prior to operation of the vacation home rental shall result in termination of the vacation home rental permit. Failure to pay all applicable taxes including sales tax, lodging tax and lodging fees shall result in termination of the vacation home rental. Failure to comply with the terms and conditions of the permit approval shall result in the termination of the vacation home rental permit. Failure to obtain an annual renewal permit or to operate a vacation home rental for a period of more than one year will result in the termination of the vacation home rental permit.

4. Application for vacation home rental permits shall demonstrate compliance with the following requirements:

a. Vicinity Sketch Plan (drawn to a scale of not less than 1" = 200') that shows the following within 300 feet of the subject property for which the application is filed.

- (1) The location and boundaries of the subject property.
- (2) The location and identification of all existing and proposed public and private easements and right-of-ways.
- (3) The location of existing buildings, telephone, power, water and sewer lines located adjacent to the subject property
- (4) The boundaries and classifications of all zoning districts situated within 300 feet of the subject property.

b. A Site Plan (drawn to a scale not less than 1" = 20') that shows the following on the subject property as applicable.

- (1) The boundaries of the subject parcel.
- (2) Existing buildings and improvements including setbacks, on the subject parcel.
- (3) The boundaries of areas, including square footage, to be devoted to each type of use proposed.
- (4) The total area available for parking including on-street and off-street parking and the maximum number of available parking spaces.
- (5) The location of trash containers.
- (6) The snow storage areas.

c. A signed statement agreeing to comply with 7-2-4 D. 2. of the Town Ordinance.

d. Proof of short term rental insurance.

e. Proof of ownership of the subject parcel.

f. A complete list of all property owners and mailing addresses of all properties located within 150 feet of the boundaries of the subject property.

g. Provide two (2) sets of pre-addressed stamped envelopes for all of the property owners located within 150 feet of the boundaries of the subject property. The first set of envelopes will be used to notify the listed property owners that an application has been submitted, provide them with a copy of the application and that a public hearing has been scheduled. The second set of envelopes will be used to notify the listed property owners that the application has been approved or denied and if approved the name and phone number of the local contact person, a copy of Section 7-2-4D. 2. of the Town Ordinance and any additional conditions placed upon the vacation home rental property.

h. The number of bedrooms.

i. The total number of occupants.

j. A completed application form complete with application fee. The application fee will be established by resolution by the Board of Trustees.

k. The name, address and telephone number of the local contact person who is authorized by the applicant to receive communications from the Town concerning the vacation home rental. The local contact person may be a management company, rental agent or other person employed or engaged by the applicant to manage, rent or supervise the vacation home rental. The local contact person must be available 24 hours a day, and must reside within a 15 minute drive of the rental property, during periods in which the structure is

being rented. The designated local contact person may be changed by the applicant from time to time. To effect such change, the applicant shall notify the code enforcement officer, the San Juan County Sheriff's Department, the Silverton/San Juan County Fire Authority and all property owners located within 150 feet of the property boundaries of the vacation home rental. All changes pertaining to the local contact person shall be permanently posted in the rental unit in a prominent location(s)

l. Upon determination by the Planning Director or other designated agent of the Town that the application is complete, a public hearing shall be scheduled, with at least ten (10) days advanced notice of the date, time and place of such hearing to be published in a newspaper of general circulation in the town.

m. The Board of Trustees shall render its decision within sixty (60) days **after** the Planning Director or other designated agent determines the application to be complete, unless an extension of said time is agreed upon, in writing, by the applicant and the Board.

**THIS ORDINANCE was introduced, read, amended and approved at first reading by the Board of Trustees of the Town of Silverton on the 13th day of November, 2012; and introduced as amended for a second reading at a public hearing before the Board and finally adopted on the 10th day of December, 2012.**

ATTEST:

(signed copy on file)  
Chris Tookey, Mayor  
Town of Silverton, Colorado

(signed copy on file)  
Brian Carlson, Town Clerk  
Town of Silverton, Colorado

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE